

Attorney Docket No. P28993

Application No.: 10/561,041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : MIYAWAKI et al.

Group Art Unit: 1656

Application. No.: 10/561,041

Examiner: Unknown

(U.S. National Phase of PCT/JP04/08786)

I.A Filed : June 16, 2004

Confirmation No.: 3770

For : FLUORESCENT PROTEIN AND PIGMENT PROTEIN



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Further to the Information Disclosure Statement filed August 17, 2006, and in accordance with the duty of disclosure under 37 C.F.R. 1.56, 1.97, and 1.98, Applicants hereby bring the following information to the attention of the Examiner, which includes information cited and discussed in the Supplementary Partial European Search Report issued in connection with counterpart European Application No. 0 47 46 255. The Examiner is invited to review these materials to inspect the relevance indicated during examination with respect to the documents cited therein.

M. MATZ et al., "Fluorescent Proteins from Nonbioluminescent Anthozoa Species", Nature Biotechnology, Vol. 17, pp. 969-973 (1999);

K. LUKYANOV et al., "Natural Animal Coloration Can be Determined by a Nonfluorescent Green Fluorescent Protein Homolog", The Journal of Biological Chemistry, Vol. 275, No. 34, pp. 25879-25882 (August 25, 2000);

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T. BEDDOE et al., "The Production, Purification, and Crystallization of a Pocilloporin Pigment from a Reef-forming Coral", Acta Crystallographica Section D, Vol. 59, No. 3, pp. 597-599 (March 2003);

WO 00/46233 A1, August 10, 2000; and

WO 2005/019252 A2, March 3, 2005.

Furthermore, Applicants direct the attention of the Examiner to the following co-pending U.S. Patent Applications:

U.S. Patent Application No. 10/492,081 (MIYAWAKI et al.), filed October 25, 2004, published as U.S. 2005/0106661 A1 on May 19, 2005 and entitled "Fluorescent Protein"; Applicants note that this document is the national stage of PCT/JP2002/10529, which published as WO 03/033693 A1 on April 24, 2003.

U.S. Patent Application No. 10/498,505 (MIYAWAKI et al.), filed November 22, 2004, published as U.S. 2005/0090642 on April 28, 2005 and entitled "Fluorescent Protein"; Applicants note that this document is the national stage of PCT/JP2002/13363, which published as WO 03/054191 A1 on July 3, 2003;

U.S. Patent Application No. 10/525,365 (MIYAWAKI et al.), filed October 12, 2005, published as U.S. 2006/0160990 A1 on July 20, 2006 and entitled "Fluorescent protein and Chromoprotein"; Applicants note that this document is the national stage of PCT/JP2003/10628, which published as WO 2004/018671 A1 on March 4, 2004;

U.S. Patent Application No. 10/581,551 (MIYAWAKI et al.), filed June 2, 2006 and entitled "Fluorescent Proteins"; Applicants note that this document is the national stage of PCT/JP2004/018437, which published as WO 2005/054464 A1 on June 16, 2005;

U.S. Patent Application No. 11/390,215 (MIYAWAKI et al.), filed March 28, 2006 and entitled "A Method for Analysis of Protein Interaction using Fluorescent Protein"; and

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U.S. Patent Application No. 10/561,040 (MIYAWAKI et al.), filed December 16, 2005 and entitled "Fluorescent Protein"; Applicants note that this document is the national stage of PCT/JP2004/008790, which published as WO 04/111236 A1 on December 23, 2004.

U.S. Patent Application No. 10/516,314 (MIYAWAKI et al.), filed December 12, 2004 and published as U.S. 2006/0154296 A1 on July 13, 2006 and entitled "Pigment Protein"; Applicants note that this document is the national stage of PCT/JP2003/07337, which published as WO 2003/104461 December 18, 2003; and

U.S. Patent Application No. 10/516,317 (MIYAWAKI et al.), filed December 12, 2004 published as U.S. 2006/0240472 A1 on October 26, 2006 and entitled "Pigment Protein"; Applicants note that this document is the national stage of PCT/JP2003/07336, which published as WO 2003/104460 December 18, 2003.

Further to 37 C.F.R. §1.98 (a)(2)(ii) and to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(iii) if a U.S. patent application was filed after June 30, 2003, copies of the U.S. patents and patent applications cited above are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

The above-noted applications are listed on the duly completed form PTO-1449. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO-1449 with the next communication from the U.S. Patent and Trademark Office.

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Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Atsushi MIYAWAKI et al.

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FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P28993Application No.  
10/561,041INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Atsushi MIYAWAKI et al.Filing Date  
I.A. Filed June 16, 2004Group  
1656

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2005 /	0 1 0 6 6 6 1	05/19/05	MIYAWAKI et al.			
	2005 /	0 0 9 0 6 4 2	04/28/05	MIYAWAKI et al.			
	2006 /	0 1 6 0 9 9 0	07/20/06	MIYAWAKI et al.			
	2006 /	0 1 5 4 2 9 6	07/13/06	MIYAWAKI et al.			
	2006 /	0 2 4 0 4 7 2	10/26/06	MIYAWAKI et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	0	0 / 4 6 2 3 3	08/10/00	W.I.P.O.			
	2005 /	0 1 9 2 5 2	03/03/05	W.I.P.O.			
	03 /	0 3 3 6 9 3	04/24/03	W.I.P.O.			
	03 /	0 5 4 1 9 1	07/03/03	W.I.P.O.			
	2004 /	0 1 8 6 7 1	03/04/04	W.I.P.O.			
	2004 /	0 5 4 4 6 4	06/16/05	W.I.P.O.			
	04 /	1 1 1 2 3 6	12/23/04	W.I.P.O.			
	2003 /	1 0 4 4 6 1	12/18/03	W.I.P.O.			
	2003 /	1 0 4 4 6 0	12/18/03	W.I.P.O.			

## OTHER DOCUMENTS (Including Author, Title, Date, Perinent Pages, Etc.)

	M. MATZ et al., "Fluorescent Proteins from Nonbioluminescent Anthozoa Species", <u>Nature Biotechnology</u> , Vol. 17, pp. 969-973 (1999).
	K. LUKYANOV et al., "Natural Animal Coloration Can be Determined by a Nonfluorescent Green Fluorescent Protein Homolog", <u>The Journal of Biological Chemistry</u> , Vol. 275, No. 34, pp. 25879-25882 (August 25, 2000).
	T. BEDDOE et al., "The Production, Purification, and Crystallization of a Pocilloporin Pigment from a Reef-forming Coral", <u>Acta Crystallographica Section D</u> , Vol. 59, No. 3, pp. 597-599 (March 2003).
	U.S. Patent Application No. 10/492,081 (MIYAWAKI et al.), filed October 25, 2004 and entitled "Fluorescent Protein".
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	U.S. Patent Application No. 10/525,365 (MIYAWAKI et al.), filed October 12, 2005 and entitled "Fluorescent Protein and Chromoprotein".
	U.S. Patent Application No. 10/581,551 (MIYAWAKI et al.), filed June 2, 2006 and entitled "Fluorescent Proteins".

EXAMINER /Christina Bradley/

DATE CONSIDERED 03/10/2010

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.B./

EXAMINER /Christina Bradley/ DATE CONSIDERED 03/10/2010

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Receipt date: 02/06/2007

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